

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

The Law Offices of S. Daniel Hutchison
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S. Daniel Hutchison, Esq.
Attorney for Debtor(s)

In Re:

Julia Deni



Order Filed on September 30,
2016 by Clerk U.S. Bankruptcy
Court District of New Jersey

Case No.: 15-32827

Hearing Date: 9/30/16

Chapter: 13


Judge: JNP

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☒ Followed ☐ Modified

The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.

DATED: September 30, 2016


Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

After review of the Debtor's motion for authorization to sell the real property commonly known as 39 Gilbert Avenue, Westville, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Margie Blair-Thomas of Harvest Realty

Amount to be paid: \$7,200.00 - to be split with the Buyers Agent

Services rendered: Market and Sell Real Property located at 39 Gilbert Avenue, Westville, NJ 08093

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 1,095.00 claimed as exempt may be paid to the Debtor.
6. The ☐ *balance of proceeds* or the ☐ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.
7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.
8. ☒ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.
9. Other provisions: (a) The request to waive Rule 6004(h) is hereby GRANTED;

(b) The judgment owed by co-owner/seller Francis Jacob Trzaska III in the approximate amount of \$15,000.00 shall be paid directly from this seller's net proceeds;
(c) \$18,850.79 shall be paid directly to Jo Ann McMonagle which represents the reimbursement of repairs and upkeep of the property that she paid out of pocket;
(d) \$12,577.80 shall be paid to the Chapter 13 Standing Trustee, Isabel Balboa which represents the non-exempt proceeds of the debtor, Julia Deni. The \$12,557.80 non-exempt funds are to be an additional base to unsecured creditors that timely filed claims.

rev.8/1/15

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Julia Deni
Debtor

Case No. 15-32827-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 30, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 02, 2016.

db +Julia Deni, 11 Gilbert Avenue, Westville, NJ 08093-9723

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 02, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 30, 2016 at the address(es) listed below:

Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com

Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com

Joshua I. Goldman on behalf of Creditor M&T BANK jgoldman@kmlawgroup.com,
bkggroup@kmlawgroup.com

S. Daniel Hutchison on behalf of Debtor Julia Deni sdhteamlaw@outlook.com,
backupcourt@outlook.com; sdhlawecf@gmail.com; sdhlawpara1@outlook.com; sdhlawpara2@outlook.com

TOTAL: 4